

IN THE SUPERIOR COURT OF THE STATE OF DELAWARE

IN AND FOR NEW CASTLE COUNTY

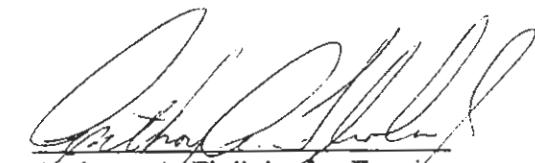
STATE OF DELAWARE	}	
	}	
v.	}	I.D. NO. 0002019767
	}	
GERRON LINDSEY	}	

NOTICE

MOTION TO WITHDRAW PLEA

TO:	Stuart E. Sklut, Esquire Deputy Attorney General 820 N. French Street Wilmington, DE 19899	Donald R. Roberts, Esquire Deputy Attorney General 820 N. French Street Wilmington, DE 19899
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PLEASE TAKE NOTICE, the attached Motion shall be presented to the Honorable Haile L. Alford, at the pleasure of her Honor.



Anthony A. Figliola, Jr., Esquire
Figliola & Facciolo
1813 Marsh Road
Wilmington, DE 19810
Delaware I.D. No. 957

Sheryl Rush - Milstead, Esquire
Heiman Aber Goldlust & Baker
P.O. Box 1675
Wilmington, DE 19899
Delaware I.D. No. 2216

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PROOF READ
FBI/DOJ

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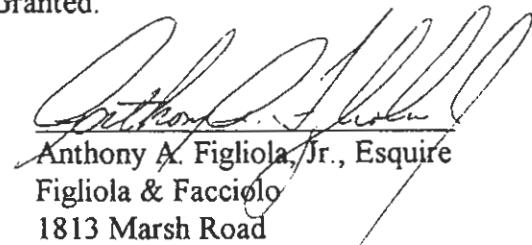
MOTION TO WITHDRAW PLEA

NOW COMES THE DEFENDANT, by and through his attorneys, Anthony A. Figliola, Jr. and Sheryl Rush - Milstead and respectfully requests this Honorable Court set aside his plea of Guilty but Mentally Ill to the charge of Murder First Degree, entered April 9, 2002.

In support of this Motion Defendant offers the following:

1. Defendant at the time the Plea was entered was a patient at the Delaware State Hospital.
2. Defendant was receiving Medication which effected his ability to understand what he was doing.
3. As a result of the medication, Defendant was unable to appreciate his act.

WHEREFORE, Defendant prays his Motion be Granted.



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ORDER

MOTION TO WITHDRAW PLEA

The Motion having been considered it is hereby _____

SO ORDERED this _____ day of _____, 2002.

Judge Haile L. Alford

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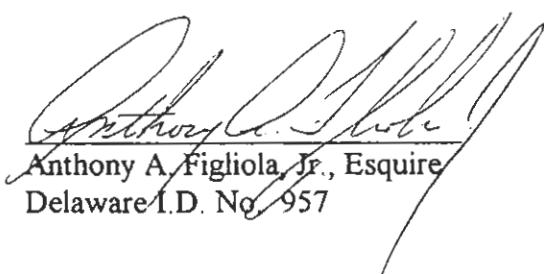
AFFIDAVIT OF SERVICE

I, Anthony A. Figliola, Jr., am an attorney licensed to practice law by the Supreme Court of the State of Delaware. On May 3, 2002 I caused service of Defendant's Motion to be served upon the following by United States Mail, addressed as follows:

Stuart E. Sklut, Esquire
Deputy Attorney General
820 N. French Street
Wilmington, DE 19899

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